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The situation in Afghanistan and its implications for international peace and security

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

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Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 59/112 A and B of 8 December 2004 and Security Council resolution 1536 (2004) of 26 March 2004. It covers the period since the publication of the previous report, dated 26 November 2004 (A/59/581-S/2004/925), up to 15 March 2005. During this period, the Security Council received an oral briefing on 10 January 2005 (see S/PV.5108). Matters covered in the briefing will not be repeated in the present report, except in summary form.

II. Implementation of the Bonn Agreement

A. Political developments

2. On 7 December 2004, President Hamid Karzai was inaugurated, together with his two Vice-Presidents, Ahmad Zia Massoud and Abdul Karim Khalili. The formation of the new 27-member Cabinet, which took almost two months, was

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announced on 23 December. The Cabinet was selected in conformity with the Constitution's requirement that all ministers possess a higher education degree and are Afghan citizens. The President also sought to ensure an ethnic balance; as a result, the Cabinet includes 10 Pashtuns, 8 Tajiks, 5 Hazaras, 2 Uzbeks, 1 Turkmen and 1 Baloch. Three ministers are women.

3. President Karzai and his Cabinet are faced with an ambitious agenda, including the immediate need to organize local and parliamentary elections; to expand the disarmament, demobilization and reintegration programme to include illegal armed groups and to combat the illegal narcotics trade; to establish the rule of law; and to strengthen State institutions and deliver reconstruction.

B. Preparation of the parliamentary elections

4. As previously reported (A/59/581-S/2004/925, para. 6), in July 2004 the Joint Electoral Management Body decided to postpone parliamentary, provincial and district elections to the Afghan month of Saur (21 April-20 May 2005).

5. Preparations for these elections began immediately after the presidential election. On 24 January 2005, President Karzai established the Independent Electoral Commission (IEC), as required by the Constitution. IEC consists of six men and three women, representing seven different ethnic groups.

6. The establishment of IEC was one of several fundamental decisions that the Government of Afghanistan, in consultation with political actors and the international community, needed to take to establish the electoral framework. Other key decisions were: (a) definition of the electoral system; (b) demarcation of electoral district boundaries; (c) definition of criteria to determine provincial population figures in order to allocate seats in the lower house (Wolesi Jirga); and (d) participation of refugees and nomads in the parliamentary and local elections.

7. As with the presidential election, IEC will be assisted by international electoral experts appointed by my Special Representative; the experts, together with IEC, will constitute the Joint Electoral Management Body, which will oversee the implementation of the elections.

8. According to the electoral law, delimitation of district electoral boundaries must be completed 120 days prior to the election date. The Ministry of Interior made considerable efforts to consult local authorities and communities in order to develop a list of population settlements by district. However, the exercise revealed substantial disputes over the definition of districts in Afghanistan. During the several decades of war, a number of de facto districts were created and district administrators were appointed to them. It has proved extremely contentious to reconcile the established pre-war administrative districts with the de facto districts established during the war. The Cabinet decided that the National Assembly was the only legitimate forum to settle this complex issue, meaning that the elections for district councils will have to be postponed until the Assembly is convened. The matter was referred to the Supreme Court, which ruled that district council elections could be postponed until the National Assembly had been elected, without prejudice to the establishment of the Upper House and, therefore, to the legislative process.

9. The determination of population figures to be used for the allocation of seats in the Wolesi Jirga is complicated by the fact that a national census will only be

completed in 2007. The Government has discussed the question extensively and is preparing a set of figures to be provided to the Joint Electoral Management Body for it to establish the final seat allocation.

10. With regard to refugees, while the Government strongly supported the principle of their participation in the parliamentary elections, it is weighing the fact that a special refugee constituency does not seem appropriate. The alternative of absentee ballot voting presents significant technical difficulties and costs.

11. With regard to the electoral system, after considerable debate and broad consultations, the Government decided not to amend the electoral law. This means that the single non-transferable vote will be retained. The single non-transferable vote system is based on multi-member constituencies in which the individual candidates with the most votes gain the seats allotted to the constituency. For example, if a province has five seats, the five candidates with the most votes in that province are elected. The decision was made notwithstanding the advice of UNAMA and outside electoral experts on the shortcomings of the single non-transferable vote, including the fact that it does not guarantee the election of a representative parliament. The decision was also based on the consideration that ordinary Afghans would be suspicious of voting systems based on party lists rather than individual candidates. In addition, the Government thought that political parties, which are usually associated with list-based systems, were not yet sufficiently developed to sustain proportional representation systems. To date 51 parties have been registered by the Ministry of Justice and 32 applications are under consideration. Many of these, however, have little reach beyond Kabul.

12. Given the above electoral framework, the Joint Electoral Management Body is now finalizing the election plan. Every effort is being made to hold elections as soon as operationally feasible; in doing so, a fundamental concern is to ensure that the timeliness for the tasks to be completed are not so compressed as to compromise the overall credibility of the process. The essential tasks include the need to vet thousands of candidates, as required by the electoral law, and to update the voter register to ensure that all voters are registered in the province in which they intend to vote.

13. In the conduct of the elections, the roles of organizations within the United Nations system have been allocated to capitalize on the strengths of each partner. UNAMA continues to provide political and electoral expertise while the United Nations Development Programme (UNDP) will continue to oversee trust fund management and donor relations, in addition to building the capacity of IEC. The United Nations Office for Project Services (UNOPS), which has demonstrated its effectiveness and flexibility in administrative and logistical matters, will be the executing agency for all electoral budget lines. The operational modalities for the 2005 elections, including the number and location of polling sites, will closely follow the 2004 presidential election. Similarly, logistical arrangements for the deployment of personnel and material will be replicated with the assistance of the coalition forces and the International Security Assistance Force (ISAF). Security arrangements adopted in 2004 will also be largely replicated. Both ISAF and the coalition forces have indicated their full cooperation. A security plan to support the parliamentary and local elections has been drawn up and its implementation is being carefully coordinated by all actors involved.

14. Based on a late summer time frame, the cost of parliamentary and provincial elections is estimated at US$ 149 million. The estimate is likely to increase if the election is held at a later stage. Considering that $16 million was saved in 2004, and that $15 million has already been contributed, more than $128 million in additional contributions is urgently required to move forward with electoral preparations.

III. Security

A. Overall security situation

15. The overall security situation has been relatively calm for almost four months. The severe winter season has presented a significant impediment to the operations of extremists, terrorists, factional forces and criminal (including narcotics) elements. In areas least affected by winter conditions (particularly the south-eastern and southern regions), the coalition forces, the Afghan National Army and Government institutions continued to be targeted by extremist elements employing anti-tank mines, small unit ambushes and rocket attacks, albeit at a lower level that in the latter part of 2004.

16. Factors that have also contributed to the security environment include progress made in the disarmament, demobilization and reintegration programme; the increased strength and quality of the Afghan National Army and police forces; the expansion of ISAF in the north and north-east; popular support to the new President and Government; political changes brought about by the central Government in provinces such as Herat; and initiatives to facilitate the demobilization of Taliban combatants.

17. However these positive developments should not lead to complacency. There have been several recent cases of improvised explosive devices and landmines being used to target coalition forces, the Afghan National Army and Government structures. Significant weapons caches have been found by the Government forces and ISAF in Kabul and Parvan provinces. These developments suggest that those opposed to the Government (including the Taliban and Al-Qaida) will continue to try to demonstrate their capability to plan and stage high-profile attacks, such as hostage taking, suicide attacks and vehicle bombs. On 7 March, a British adviser to the Government was murdered by unknown gunmen in Kabul.

18. The determination of extremist elements to take advantage of the open political environment of the parliamentary elections should not be underestimated. The opening of provincial electoral offices, the carrying out of political campaigns, and other visible elements of the electoral process will provide potential targets long before polling day itself. As with the presidential election, the collocation of security actors, the electoral authorities and the United Nations in the Security Information and Operations Centre, will facilitate the coordination of efforts, including information-sharing and response to threats to the electoral process. In addition, plans to complete the disarmament and demobilization of the Afghan militia forces, progress towards the disbandment of illegal armed groups, and

implement a comprehensive counter-narcotics programme should create a better environment for the upcoming elections and for the expansion of civilian administration, reconstruction and respect for the rule of law.

B. Security sector reform

19. The reform of the Ministry of Defence is currently in its fourth and last phase, making it more representative of the demographic realities of the country. After the appointment of new professionals to 22 top positions in September 2003, which had been the requirement my Special Representative at that time identified in order to start the disarmament, demobilization and reintegration process (see A/57/850-S/2003/754 and Corr.1, para. 27, and S/2003/1212, para. 13), the second phase included the appointment of 38 general officers and 65 colonels at the director level in December 2003 (see A/58/742-S/2004/230, para. 20). The third phase of reform brought the appointment of 330 senior officers in April-May 2004. The first batch of the fourth phase involves the appointment of 965 junior officers within the Ministry of Defence and is expected to redress previous imbalances in the composition of the Ministry, compared with the regional makeup of the country.

C. Disarmament, demobilization and reintegration

20. As previously reported (A/59/581-S/2004/925, para. 17), the presidential election generated much-needed momentum for the disarmament, demobilization and reintegration programme, which is led by Japan with the support of the UNDP Afghan new beginnings programme. So far, 43,710 troops of the Afghan militia forces have been disarmed — almost half of them over the past six months. Of that number, 38,984 have been demobilized. This process has enabled the Government to remove from its payroll the demobilized troops as well as non-existent units, resulting in some $70 million in savings to the Government's budget. It is estimated that less than 10,000 Afghan militia forces remain to undergo the programme by 30 June 2005.

21. Of the total number of former officers and soldiers who have been demobilized, some 37,806 have started their reintegration programmes, including 46 per cent in agriculture; 28 per cent in vocational training such as carpentry, metal work and tailoring; almost 4 per cent in demining; and 3 per cent in the Afghan National Army and the National Police.

22. A key concern is whether the growth of the legal economy will be sufficiently robust to attract demobilized soldiers into the legitimate labour market. This situation is being monitored by UNDP, which has established a system to track the sustainability of reintegration packages offered to ex-combatants, and to determine whether the options provided contribute to long-term employment.

23. The second element of the disarmament, demobilization and reintegration exercise, the cantonment of heavy weaponry, has exceeded expectations. So far 8,603 serviceable heavy weapons have been cantoned in six of the eight targeted regions, twice the total number of heavy weapons that were originally surveyed. Heavy weapons remain to be collected in two areas: approximately 60 in the

Shindand and Farah regions; and 160 in the Koundoz region. Significant stocks of ammunition have also been collected and are being stored either for reutilization by the Afghan National Army or for eventual destruction.

24. Disarmament of the Afghan militia forces remains insufficient to create a secure environment for parliamentary elections. The Government, with the support of the international community, must now tackle the problem of illegal armed groups. These groups, who are not on the payroll of the Ministry of Defence, exist throughout the country and may include ex-combatants from decommissioned units who did not enter the disarmament, demobilization and reintegration process. These groups perpetuate the drug industry, impose illegal taxes on individuals in reconstruction programmes and impede the progress of State expansion. Through a pilot project, under the leadership of the National Security Council, UNAMA and the Afghan new beginnings programme are working with national and international security agencies to map and categorize more than 1,000 such groups.

D. Counter-narcotics activities

25. The illicit narcotics industry dominates Afghanistan's economy. As previously reported (A/59/581-S/2004/925, paras. 31 and 32), it generates income equivalent to an estimated 60 per cent of the legal gross domestic product and 87 per cent of the global supply. President Karzai has implemented a number of measures to address this dangerous reality. The Counter-Narcotics Directorate, previously under the National Security Adviser's office, has been elevated to a full ministry. The President convened a National Counter-Narcotics Jirga on 9 and 10 December 2004, with the participation of governors, security officials, elders, tribal and religious leaders and dignitaries from all Afghan provinces. In response to the President's message — that if they, collectively, failed to reduce poppy cultivation significantly, they would "shame him and the nation" — participants pledged to use their political, religious and social influence to combat cultivation, production and smuggling of illegal narcotics, in line with Islam and article 7 of the Constitution.

26. It has been suggested that implementation of this commitment, together with falling prices (resulting from the large supply in 2004), brought about a decline in poppy planting in areas where production has been traditionally high. Field reports suggest that this reduction is mainly a result of farmers refraining from planting. The United Nations Office on Drugs and Crime (UNODC) has undertaken a rapid assessment survey of the poppy planting trends, to be published shortly. What is apparent is that the market mechanisms have had their effect. The aforementioned drop in planting has resulted in a substantial rise in raw opium prices, from less than $100 per kilogram in October 2004 to more than $180 in March 2005. If active intervention on law enforcement coupled with effective alternative livelihoods assistance is not provided on an urgent basis, they may return to cultivating poppy.

27. How to best stem Afghanistan's narcotics economy continues to be a matter of debate. The key issues are: the methods of eradication; the pace and scope of counter-narcotics activities; and the respective roles and sequencing of eradication, interdiction and provision of alternative livelihoods. With more than 350,000 families (roughly 10 per cent of the population) estimated to be economically dependent on the poppy economy, several observers have warned publicly that rapid poppy eradication would have dire consequences, especially since it is assumed that

many sharecroppers have pre-sold the 2005 harvest, and would hence be left with massive debts.

28. In January 2005, the Executive Director of UNODC encouraged the Government and major partners to make development assistance available to farmers to offset their income losses. He also encouraged joint efforts to provide mutual legal assistance and create conditions for the extradition of major traffickers, including measures that would lead to international arrest warrants being issued.

29. On 16 February, the Government of Afghanistan and the United Kingdom of Great Britain and Northern Ireland, the lead nation on counter-narcotics activities, launched the 2005 counter-narcotics implementation plan in Kabul. With almost 60 per cent of Afghanistan's opium produced in the provinces of Badakhshan, Helmand and Nangarhar, the new plan initially concentrates Afghan and international efforts on eradication and the creation of alternative livelihoods in those provinces, as well as Kandahar.

30. The new Cabinet is addressing the legal and judiciary requirements to support counter-narcotics interdiction operations. A new law on money-laundering was adopted in late 2004, and new laws on the freezing and confiscation of assets are under consideration. A counter-narcotics criminal justice task force, composed of 85 specialist investigators, prosecutors and judges, assisted by the United Kingdom, the United States of America, Canada and Norway, through a UNODC project, has been created to fast-track counter-narcotics cases within the criminal justice system.

31. There is a consensus among Afghan and international experts that Afghanistan's position as a leading narcotics supplier must be turned back in 2005. But the increasing external demand continues to drive production and undermine the creation of sustainable and competitive alternative means of livelihood. Changing this dynamic will require a comprehensive programme implemented with the full commitment and shared responsibility of supplier, transit and recipient States.

E. Afghan National Army

32. The training of the reformed Afghan National Army continues to make progress, with the United States, assisted by France, acting as lead nation. The Afghan National Army now consists of approximately 22,000 soldiers and officers, with 16,000 men in the following five corps: Kabul, Gardez, Kandahar, Herat and Mazar-e-Sharif. The training schedule has been accelerated; as a result, five battalions (or *kandaks*) representing a total of 3,000 soldiers, are trained simultaneously. Upon graduation, *kandaks* are deployed to the regional corps to undertake joint operations with the coalition forces. Plans to train six *kandaks* at a time, to be implemented in March 2005, will enable the Afghan National Army to reach its target of 70,000 troops in December 2006.

F. Afghan National Police

33. As previously reported (A/59/581-S/2004/925, paras. 23 and 24), the task of training, staffing and sustaining an effective police force has proved to be challenging. As of February 2005, the German-led and United States-assisted

programme of building the Afghan National Police had trained 53,400 personnel, including 17,705 officers and 35,695 non-commissioned officers and patrolmen.

34. Key areas yet to be effectively addressed include: in-depth reform of the existing structure of the police force, post-deployment monitoring and assistance and an expansion of the force to 62,000. Measures are also required to identify and exclude corrupt and anti-government elements remaining in the force. Efforts to develop professional and reliable police and military forces will require the payment of benefits that the Government cannot yet afford. At present, police salaries, equipment, institutional development and infrastructure development continue to be funded by the Law and Order Trust Fund for Afghanistan administered by UNDP.

G. International Security Assistance Force

35. The North Atlantic Treaty Organization (NATO)-led ISAF has provided an essential contribution to the security of Kabul, and the northern and north-eastern regions. ISAF is assuming an increased role for security through a staged transfer of responsibility from the coalition provincial reconstruction teams in western Afghanistan, which will occur later in March 2005.

36. With this expansion, ISAF will be in a position to provide greater security in the lead up to the forthcoming elections. NATO has advised that ISAF support will be based on its provincial reconstruction teams, with additional ground forces deployed for 90 days to support the electoral process, as well as a robust air element.

H. Status of justice reform

37. The framework for justice reform, as defined by the Constitution, the Berlin Declaration and the national development budget, provides guidance for strengthening Afghanistan's very weak justice system and calls for investment in the rehabilitation of permanent institutions of justice. This framework calls for enhanced cooperation and coordination among donors, with Italy as the lead country.

38. The United Nations, through UNAMA, UNDP and UNODC, has supported the reform agenda drawn up by the Judicial Reform Commission established by the Bonn Agreement. In general, the Commission has suffered from a lack of clarity in its mandate and a lack of capacity to lead justice reform. In the light of this, the Government is reviewing a draft decree to devolve the functions of the Commission to the three permanent national judicial institutions: the Supreme Court, the Attorney-General's office and the Ministry of Justice.

39. The Consultative Group for Justice has resumed its work, under the leadership of the Minister of Justice and with support from the United Nations and Italy. The Supreme Court is largely taking charge of its own affairs, in particular the coordination of judicial training activities offered by multiple stakeholders. With support from UNDP technical advisers, the Ministry of Justice and the Attorney-General have made significant progress in the implementation of the Government's public administrative reform programme. In addition, there has been progress in the preparation of essential draft legislation for the administration of justice at advanced

levels (organization of the courts of law, organization of the Attorneys' Prosecutor's Office) and other draft legislation, such as the juvenile justice code, is now before the Cabinet.

IV. Human rights

40. The United Nations High Commissioner for Human Rights paid her first visit to Afghanistan from 28 to 30 January 2005. During that visit, she took part in the launch by the Afghanistan Independent Human Rights Commission of a report entitled "A Call for Justice". The report, based on consultations with some 6,000 Afghans, recommends a set of measures to address past abuses. These include the vetting of future appointments to Government positions, criminal justice procedures and symbolic acts to acknowledge the suffering of victims and their families. The report also calls for consideration to be given to the search for the truth about the events of the past three decades and the question of reparations.

41. President Karzai publicly welcomed the report and established a working group, bringing together the Government, the Afghanistan Independent Human Rights Commission and UNAMA, to follow up on its findings. The group is currently focusing on the process for vetting of appointments to Government positions and acting on the removal of unsuitable incumbents. UNAMA also continues to explore the question of judicial accountability, truth-seeking and reparations in connection with serious human rights violations committed in the past.

42. During the visit from 31 January to 6 February 2005 of my Independent Expert on the situation of human rights in Afghanistan, Cherif Bassiouni, he welcomed the progress made by the Government since his previous mission (see A/59/370), including the release of the "Shiberghan prisoners" from the Pol-i-Charkhi prison in Kabul and called for increased efforts to be made towards respect for international human rights standards. He also linked past and present human rights violations to broader concerns such as weaknesses in the law enforcement and judicial systems and called for closer coordination in this sector.

43. In addition to its regular monitoring functions, the Afghanistan Independent Human Rights Commission has recently negotiated a partnership with the Office of the United Nations High Commissioner for Refugees (UNHCR) whereby it will monitor the rights of refugees and internally displaced persons in support of UNHCR activities in particular in areas with large numbers of returnees. This is a novel development that should serve both to strengthen the Commission's capacity and to nationalize some of the protection work previously undertaken by UNHCR. As a result, additional monitoring staff at the Commission will be recruited.

44. Over the four months leading up to the presidential elections, a joint political rights verification exercise was carried out by the Afghanistan Independent Human Rights Commission and UNAMA. It served to bring human rights concerns to the attention of the Government, the public and the international community in a systematic manner. More specifically, it made it possible to evaluate the degree to which the environment for the presidential election was consistent with a free and fair election and to gauge the impact of a variety of measures taken by the Joint Electoral Management Body and the Government. This exercise will be repeated with some reinforcement of the advocacy element, during the months leading up to

the parliamentary and provincial elections. Partly for this reason, the number of international human rights officers in UNAMA field offices has been doubled.

V. Reconstruction

45. Despite the gains over the past three years, the State institutions remain limited in their capacity to deliver economic and social services. The new Government merged the Ministry of Planning and the Ministry of Reconstruction to form a Ministry of Economy. The new ministry is responsible for preparing a strategy for public sector development as well as a macroeconomic framework for private sector development. Planning and aid coordination — such as the formulation of the national development strategy — will be transferred from the Ministry of Finance to the Ministry of Economy once the required capacity to carry out these functions is in place.

A. Development frameworks

46. The provisional draft budget funding requirements for the Afghan calendar year 1384 (beginning on 21 March 2005) are expected to be on par with the projected requirements of 1383 of $4 billion. Currently donor commitments to the development budget stand at $2.3 billion (compared with $3.65 billion in the development budget approved for 1383). This figure is expected to rise. At the same time, the Government has revised its revenue estimates downwards from $300 million to $280 million for 1383 and from $400 million to $335 million for 1384. Government revenues will continue to be derived primarily from customs. Donors will be requested to provide ongoing support to the operating budget through the Afghan Reconstruction Trust Fund.

47. While there has been a slight increase in the absorptive capacity of the operating and development budgets, the Government still lacks the capacity to meet donor requirements for the project documents and feasibility studies that are necessary for the release of donor funds. Further assistance is required to redress this lack of capacity. There is also concern that projects are overly concentrated in the Kabul area.

48. In 1383 (2004/05), $350 million was spent on developing Afghanistan's human capital, and $850 million on the security sector. Excluding investment in roads, only $80 million was spent on infrastructure development. The Government acknowledges that a strong economy cannot develop without basic infrastructure, including power, water, telecommunications and roads, which takes years to plan and implement. It also recognizes the importance of the development of human capital in Afghanistan through ongoing investments in health and education and enhancing the productive capacity of rural communities. The Government is seeking to strike the appropriate balance of investment through the formulation of a national development strategy.

49. In January 2005, the United Nations country team started developing the United Nations Development Assistance Framework, which provides an analysis of how the United Nations system can improve its response to the priorities identified by the Government of Afghanistan and the Millennium Development Goals. The

Framework identifies those development activities that individual United Nations agencies will undertake for the period 2006-2008.

50. Four interrelated areas of cooperation under the United Nations Development Assistance Framework have emerged as particularly critical for the United Nations system's support to the people and Government of Afghanistan during this three-year period: governance, rule of law and human rights; sustainable livelihoods; health and education; and environment and natural resources. In all four areas, the United Nations system offers comparative advantages with regard to achieving tangible progress towards the Millennium Development Goals, drawing on its values, successful global knowledge base, best practices and lessons learned as well as its strong normative mandate and long-standing track record in Afghanistan.

51. Afghanistan's first national human development report, entitled "Security with a Human Face" was launched on 21 February 2005. The report, written by an independent group of Afghans, following a decade where reliable data was lacking for Afghanistan, will help current efforts by both Afghans and the international community to rebuild the country. Afghanistan ranks 173 out of the 178 nations in the UNDP human development index for 2004, with only 5 sub-Saharan nations ranking lower. The report stresses that the real security challenge is for the reconstruction process to generate means to provide services and jobs and protect human rights, especially in rural areas. As the country devises its long-term development strategy, the report recommends addressing the links between poverty reduction, democracy and conflict prevention in order to lay the foundation for sustained economic growth and stability. The report calls upon the Government and the international community to take a long-term view of Afghanistan's development and argue that the Millennium Development Goals could serve as a normative framework for the formulation of national policies.

B. Humanitarian developments

52. In the first part of 2005, severe winter weather affected much of the country. Heavy snow blocked district roads and prevented the movement of food, causing shortages and steep price rises. Outbreaks of disease also occurred in districts cut off by heavy snow, which made it difficult for these outbreaks to be reported. The exact number of deaths is difficult to gauge from the information available. Provinces of most concern are Badakhshan, Daikundi, Ghazni, Paktika, Ghor, Zabol, Uruzgan and Vardak.

53. The Government of Afghanistan has set up a disaster relief committee to coordinate the humanitarian response to these emergencies. The committee is made up of the Ministries of Defence, Information, Reconstruction and Rural Development, Public Works, Urban Development and Housing, ISAF, the Combined Forces Command coalition, the United States Agency for International Development and UNAMA. Meetings are currently held every two days and Vice-President Khalili chairs regular meetings and coordinates emergency preparedness and response.

54. The working group on winterization has been acting as the central point for the collection and analysis of information, as well as the tasking of resources (national, international, civilian and military) to deal with crises specifically related to winter conditions. UNAMA regional offices are also acting as key information channels,

and the Humanitarian Section at UNAMA headquarters is compiling the information requested by the Ministry of Reconstruction and Rural Development. As this is a natural emergency, cooperation between civilian and military forces falls under a different conceptual umbrella than that of the ongoing reconstruction activities. The military civil defence assets framework is fully operational and coalition forces and ISAF are the key actors in the planning and delivery of relief. Currently, 24 provinces are affected by the cold-weather emergency, and UNAMA is putting considerable effort into ensuring that the provincial administrations can respond to the needs of their citizens.

55. After facing six years of drought the snowfall was initially seen as welcome relief. However, in view of the severity of the winter it now has to be expected that the melting of the snow and the saturation of the ground will result in widespread flooding. UNAMA has received a request from the Government to establish a working group to plan and coordinate the response to this possible situation. Work is being done in four areas: (a) forecasting, mapping and analysis to determine the location and magnitude of the risk areas; (b) the creation of coordination mechanisms, including the international security forces; (c) logistical pre-positioning of civil and military assets to respond to the emergency; and (d) preparation of a unified relief response.

56. Non-governmental organizations are adapting to the post-conflict reconstruction reality, where the Government sets the overall directives. The non-governmental organization community appreciates the need to reformulate the relationship between all parties involved in the reconstruction effort to reflect this new context. The UNAMA working group has helped the non-governmental organizations and the military to coordinate their activities within the new framework and the Mission continues to offer its good offices to those willing to share information with military forces.

57. Government legislation pertaining to the operation of non-governmental organizations is at the draft review stage. Some issues, including the very definition of a non-governmental organization and the impact it will have on the concept of not-for-profit operations in Afghanistan, remain contentious. UNAMA is facilitating discussions in this matter.

C. Civil military update

58. The Provincial Reconstruction Teams Executive Steering Committee, led by the Ministry of Interior and with the participation of the international security forces, UNAMA and representatives of the troop-contributing countries, is currently reviewing the prioritization of the deployment of provincial reconstruction teams, including an evaluation of different factors such as force protection, development needs, support to the Government and logistical lines.

59. There are currently 17 operational provincial reconstruction teams, with 7 new teams to be established in August 2005. The United States-led team in Kandahar will be redeployed to Daikundi in the south, and replaced by Canada. In total, there will be 24 teams with an additional five provinces served by satellite teams.

60. In different forums of discussions, the provincial reconstruction teams and other partners continue to debate how best to integrate their development and relief

work under the overall planning of the Government. These discussions stress the delicate task of merging civilian and military planning approaches and the challenges of managing the expected 24 provincial reconstruction teams soon to be deployed throughout the country.

61. Troop-contributing nations have drafted a proposal on the management of provincial reconstruction teams and UNAMA is working on a proposal to build civil military management capacity within the Government and ministries at the national and regional level. The proposed merging of ISAF and coalition forces in regard to planning and logistical lines is starting to show results, with plans to assign a single representative of both forces to ministries, non-governmental organizations or United Nations agencies and other merging initiatives.

VI. Observations

62. In its resolution 1536 (2004) on Afghanistan, the Security Council requested me to report, after the elections, on the future role of UNAMA. While the timeline envisaged for the parliamentary and local elections allows some time for a thorough review of the future United Nations involvement in the Afghan process, this discussion cannot be separated from the broader examination of the post-Bonn agenda and the role of the international community in Afghanistan once the process of transition leading to representative political institutions is completed.

63. In this respect, the Berlin declaration adopted in April 2004 expressed firmly the determination of the Government of Afghanistan and the international community to continue, in the spirit of the Bonn agreement, as a common endeavour of the Afghan people and the international community, the tasks of rebuilding and reforming the political, social and economic structures of Afghanistan, with the aim of creating lasting peace, stability and economic development.

64. Since the Berlin conference, the consensus about the continuation of peacebuilding in Afghanistan beyond the political transition has remained strong. It is rooted in the realization that a number of post-conflict peacebuilding tasks have yet to be fulfilled, including the restoration of countrywide security, full resettlement of refugees and internally displaced persons, the rehabilitation of key economic and social infrastructure and the establishment of functional State institutions across the country. Some important tasks relating to post-conflict rehabilitation have hardly been started, such as the settlement of conflicting land claims; the broader issue of property rights; the question of national reconciliation; and that of transitional justice. The consensus on the need to extend the common endeavour that began in 2001 also rests on a keen awareness that the degree of destruction visited upon Afghanistan in the past three decades has been so high that nothing less than the close partnership established during the implementation of the Bonn agreement will measure up to the challenge.

65. While Afghans are eager to take advantage of every opportunity offered by the peace process, they appreciate that the State institutions remain extremely weak and that they would not be able to sustain on their own the political gains of the last three years. Implementation of the Bonn Agreement will be complete with the holding of elections later in 2005 but in order to move forward with the next phase of the peace process — one that would see a Government increasing its capacity to

deliver improvements on security, reconstruction and development, to the population as a whole — Afghans will need and expect the sustained engagement of the international community.

66. After more than three years of intensive engagement by the United Nations in Afghanistan, a number of lessons learned have been identified:

(a) The need for an extended presence of international forces. Although terrorism, insurgency and factionalism are waning, they will remain a threat to the State if the international community shows signs of flagging in its commitment to the long-term security of Afghanistan. A credible international military deterrent will therefore remain a key component of the post-Bonn framework until Afghan security institutions are fully established and functional. These international forces must be equipped with robust and uniform rules of engagement and their deployment at the provincial level will provide the central government with the conditions it needs to expand the reach of national institutions;

(b) The need to overcome a number of bottlenecks that have affected and continue to affect the pace and scope of reconstruction. In particular, a massive skills deficit that has not been remedied by the return of some Afghan professionals from abroad, and cuts across all institutions, such as police, teachers, public administrators, judges, engineers and the qualified labour force needed for the bulk of the reconstruction work and its maintenance;

(c) The need for a comprehensive approach to the creation or recreation of key State institutions. So far, only the Afghan National Army programme has been able to encompass the various dimensions of institution-building, from in-depth reform of the Ministry itself, to the vetting and training of officers and soldiers, to post-deployment assistance and mentoring. In order to be successful, the creation of a national police force, civil service and justice system will need to adopt a similar comprehensive approach;

(d) The need for sustainability. The development and implementation of a strategy for State building must reflect the country's mid- to long-term capacity. Account must be taken of the State's ability to collect and generate revenue to sustain the establishment countrywide of an effective police, army, judiciary, civilian administration and other State institutions over time;

(e) The need for a stronger link between post-conflict reconstruction and economic growth. A bold strategy for economic development is necessary to support the restoration of essential State services, continue the process of refugee resettlement, reintegrate former militias, disband armed groups and strengthen the counter-narcotics programme. A failure to identify and take advantage of opportunities for rapid economic development and to enable the Afghan population to extract itself from its condition of extreme destitution, particularly in rural areas, is bound to undermine efforts to steer the country away from dependency on the narcotics economy and the predatory rule of local commanders;

(f) The need for improvements in regional cooperation. The 30-year conflict in Afghanistan had a very strong international and regional dimension, and one of its lingering legacies is a perception of mutual threat that continues to affect relations within the region. Since the Kabul Declaration of Good-neighbourly Relations was signed in 2002 (see S/2002/1416, annex), initiatives have been taken to foster trust and promote cooperation, in particular in the economic field. But

accelerated reconstruction in a post-Bonn framework will also require accelerated confidence-building and an intensification of the ties and exchanges among neighbours. The international community can make a contribution to the process not only by encouraging such a rapprochement, including through its good offices when appropriate, but also by supporting cross-border projects that enable the realization of the economic and commercial potential of the region as a whole;

(g) Finally, two predominant features of the Bonn process have been the timetable attached to the political transition and broad popular engagement in its implementation, which should be carefully taken into account in the design of the post-Bonn framework:

(i) Adherence to the very tight Bonn timetable for political transition must not be at the expense of the quality of outcome, and the decision in 2004 to delay parliamentary elections is a case in point. But overall, the relentless pursuit of the Bonn deadlines has served successfully three very important achievements: it has been able to stimulate — and sometimes drive — other, difficult post-conflict tasks such as disarmament, demobilization and reintegration, the demilitarization of political organizations and the formation of new security forces; it has strengthened the credibility of the transition against an initial background of misgivings and distrust; and it has contributed to the overall momentum that characterizes the Afghan peace process today. There is, therefore, every reason to incorporate, to the extent possible, the principle of tight deadlines in the next phase of the peace process;

(ii) Each year since 2002, the completion of the various stages of the political transition — the Emergency Loya Jirga, the Constitutional Loya Jirga, voter registration, presidential election, parliamentary elections — has been accompanied by a large and growing effort of nationwide civic education and mobilization. The net result is a popular perception of ownership and engagement in the political transition. The impact of the recent Jirga on counter-narcotics activities and the ongoing national solidarity programme illustrate the fact that popular awareness and participation is or can be a uniquely effective approach to peacebuilding. As the Bonn process comes to an end with the holding of parliamentary elections, the common peacebuilding endeavour between the international community and the Government of Afghanistan should strive to nurture the element of popular support and engagement and avoid the danger of retreating into a technocratic elitist approach.

67. United Nations specialized agencies and programmes will naturally find their place in this effort on the basis of their mandates, expertise and comparative advantage. Several agencies have a key role to play in processes directly linked to the aftermath of the conflict, such as UNHCR, which will be instrumental in completing the process of refugee resettlement; the United Nations Mine Action Centre for Afghanistan, which will similarly support the completion of the demining process; or the Afghan new beginnings programme, which will remain involved in support of the reintegration of Afghan militia forces. All agencies can and are expected to play a supportive role in longer-term reconstruction involving building State capacity to provide services in education, health, agriculture, national and subnational administration, among others. All agencies have integrated the principle that they should "work themselves out of a job" in relation to their counterpart and

have placed emphasis on capacity-building in their respective programmes. They will, therefore, modulate their assistance depending on the requirement of their Government counterparts, and how smoothly the transfer of policy, management and coordination responsibilities from United Nations agencies to Government structures can be effected, on an as-needed basis, where this has not been done already.

68. In addition to existing operations, the United Nations could also undertake additional activities as required depending on the priorities set up in the post-Bonn agenda in areas or fields where the United Nations offers the best expertise available in the international community. For example, in view of the magnitude of the task of reconstructing the police and the justice system, the United Nations may be able to increase its assistance in this area under the leadership provided by Germany and Italy. Similarly, a large-scale vocational training programme could benefit from United Nations assets along with those from other individual countries.

69. As this work proceeds, it will be important to take into account the ability of the United Nations to tap multilateral resources and also the trust that the United Nations enjoys from the Government and the population at large. There is a broad confidence in United Nations goodwill and impartiality throughout Afghanistan, which affords opportunities to the Organization, but also confers upon it special responsibilities, in particular that of delivering faithfully where its involvement has raised popular expectations.

70. The current mandate under Security Council resolution 1536 (2004) expires on 25 March. While considerable efforts are being made to identify the role of the United Nations following the parliamentary elections, there will be a need to consult with the Afghan leadership, the Parliament, once established, and other relevant parties before a definitive recommendation can be submitted to the Security Council. On the basis of those consultations, I intend to submit another report to the Council outlining my recommendations for the Mission's future mandate. In the meantime, I would recommend that the mandate of UNAMA be extended for 12 months.

71. In conclusion, I would like to pay tribute to the efforts of my Special Representative, Jean Arnault, and to the dedication demonstrated by the men and women of UNAMA and its partner organizations.